

Article 4: City Employees' Retirement System

Division 2: General Member Contributions

*("Authority and Effective Date" incorp. 1-22-1952 by O-5046 N.S.
contained in O-10792 O.S. adopted 11-29-1926;
repealed 10-25-1962 by O-8744 N.S.)*

*("Contribution of Members" added 10-25-1962 by O-8744 N.S.)
(Retitled to "Contribution of General Members" on 12-8-1976 by O-11964 N.S.)
(Retitled to "General Member Contributions" on 11-18-2002 by O-19121 N.S.)*

§24.0201 Normal Rate of Contribution

- (a) The *Board* determines the normal rate of contribution for a *General Member* based upon the *Member's* age at his or her birthday nearest to the date the *Member* joined the *System*.
- (b) Effective November 18, 2002, a *Member* who is serving as the duly elected president of a recognized employee organization will continue to participate in the *System* if, while serving as president:
 - (1) the *Member* remains a full-time *City* employee and receives a salary from the *City*;
 - (2) the *Member* continues to make contributions, as set forth in this Division, based upon his or her *City* salary;
 - (3) the *Member's Base Compensation* is based solely upon the salary paid to the *Member* by the *City*, and does not include any amounts paid by the employee organization, either directly or indirectly.

*(Retitled from "Contribution of General Members" and amended 12-18-2002 by O-19121 N.S.)
(Amended 4-28-2008 by O-19740 N.S.; effective 5-28-2008.)
(Amended 6-10-2014 by O-20376 N.S.; effective 7-10-2014.)*

§24.0202 Adoption of General Member Contributions Rates

The Board, based upon the advice of the Actuary, will periodically adopt by Rule the rate of contribution of each General Member according to the age at the time of entry into the Retirement System in compliance with federal law. These rates will be contained in the operating Tables furnished to the Board by the System's Actuary. The Rules adopted by the Board under this section are incorporated by reference into this Article and are effective beginning July 1, 1989, in accordance with their terms..

(Amended 3-31-1997 by O-18392 N.S.)

(Amended 4-28-2008 by O-19740 N.S.; effective 5-28-2008.)

§24.0203 Maximum and Minimum Rates for General Members

The normal rate of contribution established for age 57 is the rate for any member other than a safety member who has attained a greater age before entrance into the Retirement System, and that established for age 20 is the rate for any member who enters the Retirement System at a lesser age.

(Amended 3-31-1997 by O-18392 N.S.)

§24.0204 General Member Contributions Deducted by City Auditor

The contributions herein provided for shall be deducted by the City Auditor and Comptroller from each payroll warrant-check and shall be transferred to the Retirement System for crediting to each individual general member's account.

(Amended 8-2-1982 by O-15790 N.S.; effective 9-3-1982.)

§24.0205 Additional Contributions —by General Members

Subject to the rules and regulations prescribed by the *Board*, a *General Member* may elect to make post-tax *Additional Contributions* at rates in excess of his or her *Normal Contributions*, for the purpose of providing additional benefits. The exercise of this privilege by a *General Member* will not obligate the *City* to make any additional contributions. Upon application, the *Board* will furnish to the *Member* information concerning the nature and amount of additional benefits to be obtained by the *Additional Contributions*. The *Member* may stop or change the amount of his or her *Additional Contributions* at any time, but may not withdraw *Additional Contributions* except upon termination of membership, and then only if the employee withdraws all of his or her *Accumulated Contributions*.

(“Additional Contributions—General Members” added 12-8-1976 by O-11964 N.S.)

(Retitled to “Additional Contributions —by General Members,” and amended 6-10-2014 by O-20376 N.S.; effective 7-10-2014.)

§24.0206 Withdrawal of Accumulated Contributions and Deferred Benefits —by General Member

If a *General Member's City* employment is discontinued other than by death or retirement, and the *Member* makes a written request for return of employee contributions, the *Board* will pay the *Member* his or her *Accumulated Contributions*, including interest compounded annually, within six months of the request. A *Member* who has ten or more years of *Service Credit* and leaves his or her *Accumulated Contributions* on deposit with the *System*, will be eligible for a service retirement upon meeting the age requirements for a service retirement. The *Member's* service retirement benefit will be calculated using the benefit formula in effect on the date the *Member* terminated *City* employment. A *General Member* may not withdraw his or her *Accumulated Contributions* under any circumstances other than those provided in this section.

(Amended 8-6-1990 by O-17507 N.S.)

(Retitled to "Withdrawal of Accumulated Contributions and Deferred Benefits —by General Member," and amended 6-10-2014 by O-20376 N.S.; effective 7-10-2014.)

§24.0207 Termination of Benefits—General Member

Any person eligible to withdraw accumulated contributions pursuant to Section 24.0206 who requests withdrawal, and thereafter receives his or her accumulated contributions from the System, shall be deemed to have knowingly terminated membership in the System and, as a result thereof, be ineligible for any rights, privileges or benefits granted under this Retirement System.

("Termination of Benefits—General Member" renumbered from Sec. 24.0206.5 on 3-31-1997 by O-18392 N.S.)

§24.0208 Auditor and Comptroller to Withhold Monies Owing City– General Members

The Auditor and Comptroller of The City of San Diego is hereby empowered and it shall be his duty to deduct any monies owing to the City by said employees from any benefits or any other monies due said employees from the City.

("Auditor and Comptroller to Withhold Monies Owing City–General Members" renumbered from Sec. 24.0207 on 3-31-1997 by O-18392 N.S.)

§24.0209 Annuity, Actuarial Equivalent of General Members' Accumulated Contributions

The actual amount of annuity receivable by a General Member upon retirement shall be the actuarial equivalent of the General Member accumulated contributions.

(“Annuity, Actuarial Equivalent of General Members’ Accumulated Contributions” reinstated 3–31–1997 by O–18392 N.S.)

§24.0210 Upgrade of Benefits–General Members

Effective July 1, 1991, any General Member who was enrolled and participated in the 1981 Pension Plan between September 3, 1982, and June 30, 1989, shall receive the same level of benefits provided to General Members in CERS, except as provided in Section 24.0501(b).

(“Upgrade of Benefits–General Members” renumbered from Sec. 24.0211 and amended 3–31–1997 by O–18392 N.S.)